IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

THURSDAY, THE 23RD AUGUST 2007 / 1ST BHADRA 1929

WP(C).No. 25188 of 2007(W)

PETITIONER:

DR.T.V.PADMANABHAN,
CIVIL SUREGON, DISTRICT HOSPITAL,
KASARAGOD AT KANHANGAD P.O. BALLA,
KASARAGOD DISTRICT, PIN-671531.

BY ADV. SRI.T.K.VIPINDAS

RESPONDENTS:

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1. THE STATE OF KERALA,
REPRESENTED BY SECRETARY,
DEPARTMENT OF HEALTH AND FAMILY WELFARE,
THIRUVANANTHAPURAM.

2. ADDITIONAL SECRETARY TO GOVERNMENT,
DEPARTMENT OF HEALTH AND FAMILY WELFARE,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

3. THE DIRECTOR OF HEALTH SERVICES,
THIRUVANANTHAPURAM.

4. THE DISTRICT MEDICAL OFFICER (HEALTH)
KASARAGOD AT KANHANGAD, BALLA P.O.,
KASARAGOD DISTRICT, PIN- 671531.

5. DR.T.V.SURENDRAN, ASSISTANT SURGEON,
PRIMARY HEALTH CENTRE, CHERUVATHUR,
KASARAGOD.

6. THE DISTRICT PANCHAYAT, KASARAGOD,
VIDYANAGAR P.O., REPRESENTED BY ITS SECRETARY.

BY GOVERNMENT PLEADER SRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 23/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

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W.P.(C) No. 25188 OF 2007 W
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Dated this the 23rd August, 2007

J U D G M E N T

The grievance of the petitioner is that by Ext. P9 the 5th respondent has been designated as the Superintendent of the District Hospital. According to the petitioner, he being the senior-most, he was the deserving candidate to be designated in that category.

2. Learned Govt. Pleader, on instructions, submits that although the practice was always to post senior Doctor in the hospital as Supdt., in this case the 5th respondent has been designated and that by this the petitioner has not been prejudiced.

3. In my view, this is a matter to be examined by the 1st respondent, especially when even according to the respondents, the designation of the 5th respondent is against the practice that has been followed. Accordingly, I dispose of the writ petition directing the petitioner to move an appropriate representation before the 1st respondent, in which event the 1st respondent will examine the grievance of the petitioner

and pass appropriate orders without delay.

With these observations the writ petition is disposed of.

ANTONY DOMINIC
JUDGE

jan/-